

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**IN RE:
BRENT MERRIELL**

Chapter 7

Case No. 18-55382-LRC

Flag Boy Properties, LLC

Adversary Proceeding

PLAINTIFF,

Case No.: 21-05113-lrc

v.

Brent Merriell,

DEFENDANT.

DEFENDANT'S ANSWER TO COMPLAINT

COMES NOW Defendant Brent Merriell ("Defendant") and files his Answer to Plaintiff's Complaint.

AFFIRMATIVE DEFENSES

1. Plaintiff fails to state a claim for which relief can be granted.
2. Plaintiff's actions are barred by the doctrine of waiver and/or estoppel.
3. Plaintiff's damages are limited to the extent it received payment.
4. Defendant reserves the right to assert additional affirmative defenses based upon further

investigation and/or discovery.

ANSWER

1.

Defendant admits filing a Chapter 13 case on March 30, 2018 and denies all allegations not specifically admitted.

2.

Defendant admits only that the bankruptcy cases were filed. Defendant is without sufficient information to admit or deny the remaining allegations; therefore, they are denied.

3.

This allegation states a legal conclusion and is therefore denied.

4.

Defendant does not yet consent to entry of a final order or judgment by this Court but reserves the right to consent at a later date.

5.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

6.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

7.

Admitted.

8.

Admitted.

9.

Denied.

10.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

11.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

12.

Admitted.

13.

Admitted.

14.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

15.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

16.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

17.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

18.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

19.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

20.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

21.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

22.

Defendant hereby incorporates all prior responses herein.

23.

Defendant is without sufficient information to admit or deny this allegation; therefore it is denied.

24.

Defendant is without sufficient information to admit or deny this allegation; therefore it is

denied.

25.

Denied.

26.

Denied.

27.

Defendant hereby incorporates all prior responses herein..

28.

The allegation in this paragraph merely states a legal statute and does not require a response. The statute speaks for itself. If the extent the quoted statute differs from the Bankruptcy Code, it is denied.

29.

The allegation states a legal conclusion and is therefore denied.

30.

This allegation states a legal conclusion and is therefore denied.

31.

This allegation states a legal conclusion and is therefore denied.

32.

Denied.

33.

Denied.

34.

Denied.

35.

Defendant reincorporates all prior responses herein.

36.

This allegation states a legal conclusion and is therefore denied.

37.

Denied.

38.

Denied.

Wherefore, Defendant requests that the Court deny the relief sought in Plaintiff's Complaint and to grant such other relief as the Court deems just and proper.

This 7th day of January, 2022.

/s/ Will Geer
Will Geer
Georgia Bar No. 940493
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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he caused a copy of the foregoing **DEFENDANT'S ANSWER AND AFFIRMATIVE DEFENSES** to be filed with the Clerk of the Court using the CM/ECF system which will send notification to all counsel of record.

Shayna M. Steinfeld, State Bar No. 622895
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This 7th day of January, 2022

Respectfully submitted,

/s/ Will B. Geer
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